

1  
2  
3  
4  
5 UNITED STATES DISTRICT COURT  
6 DISTRICT OF NEVADA

7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 vs.

10 NICHOLAS JONES,

11 Defendant.  
12

)  
) Case No. 2:16-cr-00242-GMN-CWH  
)  
)

13 **ORDER**

14 Presently before the court is the government's Motion to Strike Defendant Jones' Notice of  
15 Assertion of Right to be Present in Court Unshackled (ECF No. 72), filed on June 13, 2017.  
16 Defendant filed a response (ECF No. 73) on June 27, 2017. The government filed a reply (ECF  
17 No. 74) on July 3, 2017.

18 Defendant was sentenced on October 27, 2017. (Mins. of Proceedings (ECF No. 116).)  
19 Given that the "right to be free from unwarranted restraints" applies in the pretrial, trial, and  
20 sentencing phases of a case, and that Defendant has been sentenced, the court will deny the  
21 government's motion as moot. *United States v. Sanchez-Gomez*, 859 F.3d 649, 660-61 (9th Cir.  
22 2017).

23 IT IS THEREFORE ORDERED that the government's Motion to Strike Defendant Jones'  
24 Notice of Assertion of Right to be Present in Court Unshackled (ECF No. 72) is DENIED as moot.

25 DATED: November 2, 2017

26  
27   
28 C.W. Hoffman, Jr.  
United States Magistrate Judge